

May 21, 2018

A REGULAR MEETING of the Akron Village Board was held on this date at 7:31 p.m. Present: Mayor Carl E. Patterson; Trustees E. Peter Forrestel, Michael R. Middaugh; Brian T. Perry; Darrin L. Folger; Village Attorney Andrew Borden, Treasurer Tammy Kelley, Clerk Jayne DeTine and Public Works Manager Jon Cummings.

The Mayor led us in the pledge to the flag. The Mayor also requested a moment of silence and prayers for all the victims and their families involved in the Texas School shootings.

RESOLUTION duly moved by Folger and seconded by Forrestel that the Minutes of the Regular Meeting of May 7, 2018 be and hereby are approved by the Village Board.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION, duly moved by Middaugh seconded by Perry that the audit of the bills is approved, and the Treasurer authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$	84,839.44
Electric Fund	\$	177,450.78
Water Fund	\$	8,442.82
Sewer Fund	\$	3,120.61
Capital Water	\$	19,499.10
Capital Project	\$	2,322.50

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Forrestel and seconded by Perry that the following building permit be and hereby is approved and the \$50.00 permit fee be waived as this is a non-for-profit organization as well as with the applications and approval of the Code Enforcement Officer:

Brandon Caprio	27 Bloomingdale Ave	Sign	\$ 0.00
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ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Forrestel and seconded by Folger that the following building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Richard Graybeal	144 Skyline Drive	Demo House	\$75.00
James Darling	142 Skyline Drive	Demo House	\$75.00
John Noce	59 Jackson Street	Shed	\$80.00
Gordon Hohensee	43 Wesley Drive	Roof	\$50.00
Joe Capan	10 Shepard Ave	Roof	\$50.00

Ronald Konieczny	32 John Street	Roof	\$100.00
Wendy Pitisi	118 East Avenue	Roof	\$50.00
John Mosier	18 Randy Drive	Roof	\$50.00
Sharon Farrington	45 Marshall Ave	Windows	\$50.00
Kurt Schie	42 Jackson Street	Office in Bldg. C	\$600.00
Jacob Jurek	20 Shepard Ave	Shed	\$70.00
Ruth Sylvester	11 Liberty St	Siding	\$50.00

ADOPTED CARL E. PATTERSON - AYE
 E. PETER FORRESTEL - AYE
 MICHAEL R. MIDDAUGH - AYE
 BRIAN T. PERRY - AYE
 DARRIN L. FOLGER - AYE

RESOLUTION duly moved by Forrestel and seconded by Middaugh that the following building permit be and hereby is approved with the applications and approval of the Code Enforcement Officer:

Perry’s Ice Cream	1 Ice Cream Plaza	Roof	\$225.00
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ADOPTED E. PETER FORRESTEL - AYE
 MICHAEL R. MIDDAUGH - AYE
 DARRIN L. FOLGER - AYE

Mayor Patterson abstained from voting
 Trustee Perry abstained from voting

RESOLUTION duly moved by Middaugh and seconded by Forrestel that the following Application for a Dumpster Permit be and hereby is approved in accordance with the application filed and payment of permit fee:

Perry’s Ice Cream	1 Ice Cream Plaza	30 Day	\$50.00
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ADOPTED E. PETER FORRESTEL - AYE
 MICHAEL R. MIDDAUGH - AYE
 DARRIN L. FOLGER - AYE

Mayor Patterson abstained from voting
 Trustee Perry abstained from voting

RESOLUTION duly moved by Perry and seconded by Middaugh that the following Applications for a Dumpster Permit be and hereby are approved in accordance with the application filed and payment of permit fee:

McAndrew Funeral. Home	32 John Street	30 Day	\$50.00
Eric Lukowski	78 Bloomingdale Ave	30 Day	\$50.00

ADOPTED CARL E. PATTERSON - AYE
 E. PETER FORRESTEL - AYE
 MICHAEL R. MIDDAUGH - AYE
 BRIAN T. PERRY - AYE
 DARRIN L. FOLGER - AYE

PUBLIC HEARING – none

APPEARANCE – Ed Schiller and Robyn Cierniak, Engineers from Wm. Schutt Associates, came before the Village Board to share the preliminary plans for the CDBG Village Hall ADA Front Entrance Project during the earlier work session.

PUBLIC COMMENT – Several Residents from John Street and Main Street came before the Village Board to comment on the property at 105 John Street where a local dog rescue uses the property as a “pit-stop” for dogs before they are adopted or fostered out. Although the

residents totally support the dog rescue operation, they feel the Village is not a suitable location for a “pit-stop” due to the number of dogs at this location, as well as many complaints of barking and odors. Mayor Patterson stated that the Village also recently received 3 different complaint notices from residents regarding the same property. After further discussion the Board decided to review the Local Law regarding dogs at the next work session scheduled for June 4, 2018.

Resident Eric Schmidt from 12 Marshall Avenue came before the Board to request a credit on a portion of his water/sewer bill due to filling his inground pool. He also requested to have a shield placed on the street light outside of his residence to prevent the light from glaring in his front windows.

PROJECT REPORTS –

CDBG Year 2017 Project/Marshall Street, Morgan Street, Cedar Street Waterline Loop – Public Works Manager Jon Cummings reported that the portion of the waterline on Morgan Street is two-thirds complete.

Route 93 Bridge Project – Public Works Manager Jon Cummings reported that the Electric Pole relocation has been completed for the project.

MONTHLY REPORTS –

Departments –

TREASURER – submitted: the April 2018 Treasurer’s report, the May 14, 2018 Finance Committee report, the electric comparisons report, the electric three-year billed KWH Spreadsheet and the Code Enforcement fees vs expenses as of April 2018 report. Treasurer Kelley along with the Finance Committee recommended purchasing the new Police car instead of financing the loan; year-end budget transfers; budget transfers to the Village Hall Equipment and Repair Fund in the General Fund and to contract with Hawkins Delafield & Wood LLP which includes services from Neill and Strong P.C. for re-bonding the 1998 USDA Rural Development bond.

RESOLUTION duly moved by Forrestel and seconded by Folger to contract with Hawkins Delafield & Wood LLP which includes services from Neill and Strong P.C. for bond council services for re-bonding of the Village’s 1998 USDA Rural Development bond in the amount of \$6,000 and to authorize the Mayor to sign the contract as per the recommendations of the Village Treasurer and the Finance Committee be and herby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Folger and seconded by Middaugh to authorize the following year end budget transfers as per the recommendation of the Village Treasurer and the Finance Committee be and hereby is approved.

Raise Revenue			
A2610 Fines Fees and Bail			\$21,250.00
Raise Appropriation			
A3120.0200			\$21,250.00
Budget Transfers			
A3120.0400	to	A3120.0200	\$6,130.00
Police Expenses			
A1990.0400	to	A3120.0200	\$5,000.00
Contingency			
Police Equipment			

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE

DARRIN L. FOLGER - AYE

RESOLUTION duly moved by Forrestel and seconded by Perry to authorize the following budget transfers to the Village Hall Equipment and Repair Fund in the General Fund as per the recommendation of the Village Treasurer and Finance Committee be and hereby is approved.

VILLAGE HALL RESERVE TRANSFERS

A1010.0400	Trustee Expenses	\$ 1,800.00
A1210.0400	Mayor Expenses	\$1,700.00
A1325.0400	Clerk-Treasurer Expenses	\$9,000.00
A1420.0400	Attorney Expenses	\$2,500.00
A1620.0200	Village Hall Equipment	\$1,000.00
A1620.0400	Village Hall Expenses	\$9,000.00
A1990.0400	Contingency	\$5,000.00
Total Transfer to Village Hall Reserve Fund		\$30,000.00

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

AKRON FIRE COMPANY – President Jason Ladd thanked the Village Board for the good contract negotiations. AFC Contract is currently in review with Village Attorney Borden.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Folger – nothing to report.

Trustee Forrestel – attended the Finance Committee meeting on May 14, 2018.

Mayor Patterson – reported: reminded everyone of the Annual Memorial Day Ceremony in Russell Park beginning at 9:00 am.

Trustee Middaugh – reported: attended the Eagle Scout Court of Honor Presentation for Adam Pionessa. Adam’s Eagle Scout project was a mobile scorekeepers shelter for Akron Central School sport teams.

Trustee Perry – nothing to report

OLD BUSINESS

Clinton Street/Eckerson Avenue Village Land – Attorney Borden will call the UB Department of Architecture for an update.

Public Works Facility at 43 East Avenue – Attorney Borden will call the UB Department of Architecture for an update. He also attended a Municipal Law training session on Brownfields which would relate to this property.

Cable Contract – nothing

Corrective Action Plan –quarterly review completed March 19, 2018. Next review will be in June 2018.

State Street Bridge – waiting for the result of the grant application.

Sewer RBC Replace or Rebuild – discussed in work session.

BROW Tree Program – Attorney Borden had sent out a letter to New Paltz which reportedly had been implementing the Program. After reaching out to them again, Attorney

Borden found out that New Paltz never did get the program up and running. The Village, if still interested in the program, would have to pioneer the program on their own.

GIS – The Village Board will review the information on the cost from the Town of Newstead.

NEW BUSINESS

Clarence Center Rd Property – Attorney Borden responded back to Property Owner’s Attorney that the Village was not participating at this time.

RESOLUTION duly moved by Forrestel and seconded by Folger to refund \$78.03 to Christopher Walters at 119 John Street for the security light on his property which has been off since last August as per the recommendation of Electric Foreman Thomas Whitbeck be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Middaugh and seconded by Forrestel to approve payment of \$11,352.00 to Stuart C. Irby’s for 30 Electric Poles be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Middaugh and seconded by Forrestel to allow the Police Department to close Main Street for the Akron Celebration Committee’s Soap Box Derby and the Annual July 4th parade at 4:30 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Perry and seconded by Forrestel to appoint NYMPA as the Village voting delegate at the Annual MYMPA Conference May 30, 2018 be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

CORRESPONDENCE –

Town Assessor’s May 2018 Report.

Letter from Erie County Executive Poloncarz approval letter for the CDBG Village Hall Front Entrance Project.

Copy of letter to Akron Fire Company from Trent Barszcz.

Email from Paula Cochran of 180 Main Street regarding dogs at 105 John Street.

Complaint from Josh & Peggy Haist of 107 Main Street regarding dogs at 105 John Street.

Letter from Patricia Rodrigues & Thomas Dose from 101 John Street regarding dogs at 105 John Street.

PUBLIC COMMENT: none

RESOLUTION duly moved by Folger and seconded by Forrestel to go into an executive session regarding personnel matters at 8:37 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Folger and seconded by Forrestel to come out of the executive session regarding personnel matters at 9:18 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

On motion of Middaugh and seconded by Perry at 8:19 p.m. this meeting was ADJOURNED

MAYOR

CLERK